

LITTLER MENDELSON

A Professional Corporation
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267-402-3000
Attorneys for Defendant
Gerdau Ameristeel Corp.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES MURRAY, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

GERDAU AMERISTEEL CORP. and JOHN
DOES 1-10,

Defendants.

Civil Action No.:
3:11-cv-00647 (FLW)(LHG)

NOTICE OF MOTION

(VIA ECF)

RETURNABLE JUNE 6, 2011

TO: Justin L. Swidler, Esquire
Swartz Swidler, LLC
1878 Marlton Pike East, Suite 10
Cherry Hill, New Jersey 08003

PLEASE TAKE NOTICE that on June 6, 2011, at 9:00 a.m., or as soon thereafter
as counsel may be heard, the undersigned attorneys for Defendant Gerdau Ameristeel
Corp. will move before this Court for the entry of an order, in the form attached hereto,
dismissing the class action allegations from the Complaint of Plaintiff Charles Murray
under Fed. R. Civ. P. 12(b)(6) and (f).

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, Defendant will rely upon Gerdau's Brief in Support of Motion to Dismiss or, in the Alternative, Strike Portions of the Complaint.

Respectfully submitted,

/s/ Michele H. Malloy
Michele H. Malloy
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Attorney for Defendant
Gerdau Ameristeel Corp.

Dated: April 25, 2011

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PROPOSED ORDER

AND NOW, this ____ day of ____, 2011, upon consideration of Defendant's Motion to Dismiss, or in the Alternative Strike Class Action Allegations, and Plaintiff's opposition thereto, it is ORDERED that Defendant's Motion is GRANTED. All references to a class action in the Complaint are dismissed, with prejudice.

BY THE COURT:

Hon. Freda L. Wolfson

CERTIFICATE OF SERVICE

I, Michele H. Malloy, hereby certify that I caused a true and correct copy of Defendant's Notice of Motion, Brief in Support of Motion to Dismiss or, in the Alternative, Strike Portions of the Complaint and Proposed Order, via electronic filing on April 25, 2011, upon the following:

Justin L. Swidler, Esquire
Swartz Swidler, LLC
1878 Marlton Pike East, Suite 10
Cherry Hill, New Jersey 08003

/s/ Michele H. Malloy

April 25, 2011